App F IX 4

Previous References

1948-49
(Ml)

File No 18-48
Serial Nos 58, 59

Later References
Ml Dep No 580/50-51

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

P: 15-1

Part B for July '49

SUBJECT
Requisition of a portion of land in S No 85 of Tumkur Kasaba for Tumkur Town extension

To
The D C, Tumkur
No L. 2-19/B 11-7-49
Defers the question

Acquisition of Survey No 85 of Tumkur Kasaba for Tumkur Town Extension

190

P U L) Letter No A2C2813 dated 2nd March 1948 from the Deputy Commissioner, Tumkur Dt, on the above subject

1) The Deputy Comm., Tumkur Dt states that the Municipal Council, Tumkur have proposed to acquire 5 acres and 30 guntas of land out of Survey No 85 of Tumkur, which measures 35 acres 4 8 guntas and which is in the possession of the Missionary Authorities 2t is reported that this land was granted by the Govt of Mysore in 1853 to the Missionary Authorities and since then it is being made use of for a public purpose, other than a private one The Superintendent of the Methodist Mission has, it is stated strongly opposed Flag A) the acquisition and that the land is being used for training boys in farming etc the Municipality however intends to acquire this land i e 5 acres & 30 guntas, out of 35 acres & 8 guntas in S No 85, to have a portion of land parallel to the main roads in the town on its two sides The

2) Land Acquisition officer is also stated to be not in favour of the acquisition The Dy Comm.

Acquisition of [illegible] land in S No 85 of Tumkur Kasaba for Tumkur Town Extension

addo that the Cost involved in the acquisition is Rs 19,204-8-0 and that the loss to the Museum Authorities would be great. He is of the opinion that the Mil Cl of Tumkur seem to have not been Conducive towards the progress of this Institution viz Boys Orphanage & Industrial School Tumkur The D C enhance instructions in the matter Favour of orders is solicited The plan of the land is marked B

[illegible]

2) The resolution of the Municipal Council is dated 4 3 44 and is two almost four years old [illegible]

3) It would be well to inspect the spot, hear both the parties & then arrive at a decision

4) The proposal [illegible] appears to be

[illegible]

OFFICE OF THE INSPECTOR LOCAL SELF GOVERNMENT
No 2029
Date 8 4 48

Acquisition of a portion of Land in Survey No 83 of Kasaba, for Tumkur Town Extension

V W 2240

7) Submitted with a draft letter to the D C Tumkur, for approval, with reference to orders in paras 3 to 5 above

JTOR 9 4 48

8) Issued 12/4/48

Letter to the Deputy Commissioner, Tumkur District issued in No L/S-798 dated the 13th April 1948

9) For orders whether the file may be resubmitted to the Minister for L S G for perusal of Flys 2

JTOR 14-4-48

10) This file is dealt with reference to the orders in paras 6 and may be returned of an inspection at Tumkur is thought of in the near future. Otherwise it may be returned and will be sent when a visit to Tumkur is planned by the Minister

For 16-4-48

~~Put up to Hon'ble Minister for orders~~

OF THE MINISTER FOR LOCAL SELF GOVERNMENT

No 2165/285

Date

11) Not at present

15/4/48

12) Perusal of subject by Minister and dump returned

Minister's Secy

15/4/48

8/5/48

Acquisition of a portion of land
S-W 85 of Tumkur Kasaba for Tumkur
Town extension

5290/m1
6589/m1

From

The DC Tumkur Dist

Office of the Minister for Local Self Government
No 4337
Date 12/3/49

D.O. No. A 2813/Lus-44 Dt 21-2-49
requests early orders in the matter

13) The DC's letter is for personal and orders Reference paras 10 and 11 Supra

9/3

14) [illegible] 8/3/49

15) Minister's [illegible]

9/3/49

16) I suspected the Supdt I also had a talk with the Superintendent, Methodist Mission in the presence of the DC President & the present DC about 6 months back After discussing all aspects of the question the Superintendent was agreeable to the acquisition but there was difference of opinion in regard to the value of the land the DC & the president ~~that~~ undertook the responsibility of ~~com~~ settling the question with the Superintendent I do not know what happened subsequently the land in question may be acquired if the Mission is very keen on it the DC may be consulted on these lines

13

11/3/49

17) Letters for 15/3/49

Requisition of a portion of land in S No 8:
of Tumkur Kasaba for Town Extens

18) Submitted with a draft letter to the
DC Tumkur for approval

6589/ml
7515/ml

Dy
17/8/49 Pr. 1834 49

19) Dy DC
21/8/49

To
The DC Tumkur Distt
Lr No 709 dt 22-3-49
Calls for certain information

Sent pt
28/8/49

From
The DC Tumkur Distt
A2 C 2815/48-49 dt 25-3-49,
states that a further ~~information~~ report will be
sent and requests for the return
of the records for reference

20) The letter of the DC Tumkur
is for perusal & approval, the
records will be sent to DC for
reference and retransmission Draft
letter is put up for approval
(The DC's statement that no such question was
referred to him for settlement is not clear-Ref for 18)

Dy
4/11/49 Pr. Enclg

21) Dy DC
Submitted

Acquisition of a portion of land in Sy No 85 of Tumkur Kasaba for Tumkur Town extension

To
The Dy Tumkur Dist
L 11683 of 8/4/1969
returns the Records and calls for certain information

7515/69
9826/69
Sanctd
19/4/69

From
The Dy Tumkur Dist
A2 C 2813/1963-64 of 6-6-1969
Submits his report in the matter

22) The report of the Dy Tumkur Dist is for perusal with reference to Para 16 supra

23) It is stated that the Mission authorities are not ready to part with the land in question They however expect a huge return if at all they dispose of the land ie they expect one lakh of rupees in return at the rate of Rs 5/- a Sq yd

24) The Mission authorities have even

Acquisition of a portion of land in
#1 S no. 85 of Tumkur Kasaba for
Tumkur Town extension

7515/m1
93446/m1

an assurance that they are not keen
to dispose of the lands to private parties
and if at all they decide to do so
before of the land
they the first preference will be given to
the mills

25) The we states that it is not
desirable to acquire the said land
and from any extension as it not only forms
a natural and geometrical part of
the premises of the mission buildings
and compound, but is also an isolated piece of
land, which cannot be taken up as part of any
comprehensive scheme of town extension for the town
26) Under the above circumstances
explained by the we the opinion of the
we may be accepted, as the Dy Comm has
found it
not possible to effect a compromise between
the mission authorities and the mills

27) For order with reference to para
16 supra

Ans
15/6/45 Pl 16649

28) The report received
from the D.C. Tumkur
Draft to for perusal

9346/

and orders with regard to
the minute of the Minister
for L. Dg appeal 16 Supra
In reasons mentioned by him, the
D.C. did right in proceeding for
acquisition of the land in question
for town extension.

Put up sep file
21/6/49

OFFICE OF
THE MINISTER FOR
LOCAL SELF GOVERNMENT
No 6171
Date 24/6/49

SECRETARY TO GOVT OF MYSORE
No
Date 21/6
GENERAL DEPARTMENTS

SECRETARY TO GOVT OF MYSORE
No
Date Rec'd 4/7/49
GENERAL DEPARTMENTS

Hon'ble Dr L of S)
21/6/49

This question may
be deferred at
present
26/6/49

Dr letter
Fwd 7/7/49

Draft letter is submitted for approval
7/7/49

Appr 6/7/49 Dr 8/7/49

To
The Dr Tumkur
L 379 Inst 18 48-49
11-7-49
question deferred

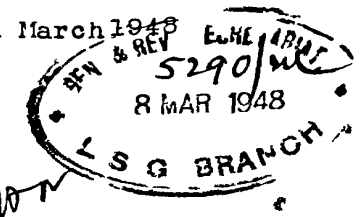
B
12/7/49

No A2 C 2813/43-44

Office of the Deputy Commissioner,
Tumkur District

Enc

Dated, Tumkur, the 2nd March 1948



From

MIR SAFDAR HUSSAIN, ESQ, B A,
DEPUTY COMMISSIONER
TUMKUR DISTRICT TUMKUR

To

Syed Abdul Aleem Esq B A,
Secretary to Govt of Mysore
Revenue Department, Bangalore

Sir

Subject - Acquisition of S No 85 of Tumkur Kasaba for Tumkur Town extension

--

I have the honor to forward herewith, a file of records relating to the above subject and to state that the Municipal Council, Tumkur have proposed to acquire an extent of 35 guntas in S No 85 of Tumkur Kasaba which measures 35 acres 8 guntas The Amildar, Tumkur has reported that this land is stated to have come to the possession of the Missionary authorities during the regime of the Chief Commissioner As stated by the Manager and Superintendent, Boys Orphanage and Industrial School, Tumkur in the letter dated 13-1-48, the land was granted by the Government of Mysore in 1853 and since then the entire area is seen to have been made use of by them for a public purpose other than a private one The Municipal Council intend to acquire a portion parallel to the main roads in the town on its two sides The Land Acquisition Officer is ~~also~~ not in favour of the acquisition Besides the Municipality has to bear the cost of acquisition amounting to Rs 19,204-8-0 Even though there are several proposals proposed for extension purposes, the Municipal Council is bent upon having this land acquired for the purpose It need not be mentioned the hindrance and the loss caused by this acquisition to the institution which has been enjoying the privileges all along to a charitable work cannot have a comparative material value as desired by the Municipality Further the Superintendent of the Methodist Mission stoutly opposes the acquisition of the survey number as it is a very centre of their work in the District and that the survey number is being used for training the boys in farming etc Astonishingly the Municipal Council seem to have

PTO

not been considerate towards the progress of this institution Hence instructions are solicited as to the taking up of acquisition of the said properties or otherwise

I have the honor to be,
sir,
Your most obedient servant,

AD 2/3

Deputy Commissioner,
Tumkur District

Appendix F G—1]

No 4

SUBJECT Acquisition of a fraction of land in Survey No 85 of Tumkur Kasaba for Tumkur Forest Extension.

Diary No of letter replied to 5290

General and Revenue Secretariat

—( )

the *19*

Date of issue 13-4-48

Signed by BV

List of enclosures

Copied by

Examined by

Section

File No

Serial No

No L 15-798

To

The Deputy Commissioner

Tumkur District

Tumkur

Sir,

With reference to your letter No A2C 2813/43-4 dated the 2nd March 1948 on the above subject, I am directed to state that a decision will be reached after spot inspection by the Minister for Local Self-Govt

and after hearing
both sides at the time
of next inspection.

2 The date of inspection will be intimated
Shane Etc later on

If

Sd/-
for Secretary to Government,
Hor Revenue Dept
9 4 48.

MR K THIPPERUDRIAH B A
DEPUTY COMMISSIONER

D O No A2 C 2813/43-44

6589/ML/3-3-49

OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT

Dated Tumkur the 21st February 1949

REVENUE SECRETARIAT 7515 MAR 1949 B ANCH B

Dear sir,

Subject - Acquisition of a portion of land in S No.85 of Tumkur laseba for Tumkur Town extension

---

Adverting to your letter No L 15798 dated 16th April 1948 intimating me that a decision on the above subject will be reached, after spot inspection by the Minister for L S G and after hearing both sides at the time of inspection, I write to request you kindly to communicate the orders of Government if passed The President, Municipal Council, Tumkur Town is pressing for it

Yours sincerely,

Janab Syed Abdul Aleem, B A,
Secretary to Govt of Mysore,
Revenue Department, Bangalore

No. L 10709 22/3/49

6

REVENUE SECRETARIAT 7515 MAR 1949

To

The D.C. Trincomalee

Subj: Acquisition of a portion of Landing-No 85 of Trincomalee Kadaloor for Trincomalee Town Extension

Sir,

With reference to the correspondence ending with your D.O. letter No. A2 c 2813/43-44 dated 21-2-49 on the above subject, I am directed to state that at the inspection of the spot by the Member for L.D. the difference of opinion in the matter of the price to be paid for the land ~~still existed~~ was settled by the Land Commissioner and ~~reported~~ referred to you and the President ~~differences~~ regarding the value of the land is settled in accordance with the

GENERAL & REVENUE SECRETARIAT
7515
MAR 1949
BRANCH

8

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 10709 *Dated Bangalore* 22-3- *1949*

FROM

The *Secretary to the Government of*
His Highness the Maharaja of Mysore
General Department.

To

The Deputy Commissioner,
Tumkur District.

Sir,

Subject Acquisition of a portion of land in S No 85 of Tumkur Kasaba for Tumkur Town extension.

With reference to the correspondence ending with your D O Letter No A2 C 2813/43-44 dated 21-2-49 on the above subject, I am directed to state that at the inspection of the spot by the Minister for Local Self Government there was difference of opinion in the matter of the prices to be paid for the mission land proposed to be acquired and the settlement of this question is stated to have been referred to you, and the President of the Municipal Council for arriving at a satisfactory compromise with the Superintendent of the mission I am to en-

Q.ire whether any a title rt has si ce been rece e
on this subject a d also whether the municipal co ncil
is still keen on a irl r t site.

Yours faithfully,

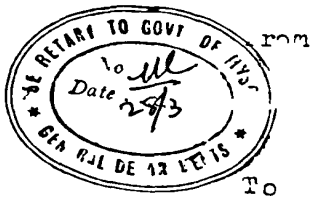
[illegible]
For Secretary to Government,
Forests Department.

1C

No 42 C 2815/48-44

Office of the Deputy C
Tumkur District

Dated, 30th Mar 1949



From

The Deputy Commissioner
Tumkur District, Tumkur

To

The Secretary to Govt of Mysore,
General Department, Bangalore

Sir,

Subject - Acquisition of a portion of land in Sy No 85 of Tumkur Kasaba for town extension

---

With reference to your letter No. 10709 dated 22nd March 1949 on the above subject I have the honor to state that no such proposal for the settlement of the question has been referred to me so far If records are sent to me even now I will try my best to settle the question of price of the land and submit a report

The President, Municipal Council Tumkur has been requested today to intimate whether the municipality is still keen on acquiring the site in question as required in your letter under reply On receipt of the information a further communication will be made to Government

Yours faithfully,
Samuel Appaya
for Deputy Commissioner,
Tumkur District
(Absent from Station

Au 25/3

2813/43-44 In L - 18-UA-50

No L 11483
Dt 8/4/49

mmissioner
et
th June'49

The Dy Commissioner Tumkur

Subj Requisition of a portion of land in S No 35 of Tumkur Kasaba for Town extension

Sir,

With reference to the correspondence ending with your letter No A2-1 2815/43-44 dated 25-3-49 on the above subject, I am directed to return herewith the file of records in the matter for reference and retransmission.

Any early reply in the matter is requested.

Yours faithfully

for
for Secy to Govt
Revenue Dept

No A2 C 2813/43-44 ML- 18-48-58

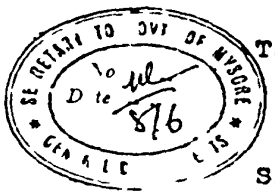
Enc Records

Office of the Deputy Commissioner
Tumkur District

Dated, Tumkur, 6th June'49

From

The Deputy Commissioner,
Tumkur District, Tumkur.



To

The Secretary to Govt of Mysore,
General Department, Bangalore

Sir,

Subject - Acquisition of a portion of land in S No 85 of Tumkur Kasaba ~~of~~ Tumkur Town Extension

---

With reference to your letter No L 10709 dated the 22nd March 1949 on the above subject, I have the honor to state as follows -

I discussed the matter with Rev V Perston, B.D, Diocesan Treasurer and Home Committee's Representative of Church South India (Mysore Diocese) and also Captain C L Stean, Superintendent of the Methodist Missionary Society, Tumkur on 3-6-1949 The Municipal President was also present The Mission authorities still press their objections filed before the Deputy Commissioner on 13-1-1948 They also urge that the Municipality acquiring their land and disposing of the same as building sites at a profit cannot be called a "public purpose" as defined in the Land Acquisition Act This objection is prima-facie untenable and might be easily overruled. Secondly, they want compensation for the land, taking into consideration its potential value which they put at Rs 5/- per ouare yard They add that the compensation amount would be utilised solely for the benefit of their Orphanage and therefore, the same may be awarded as liberally as possible They gave me to understand that they expect at least a compensation of one lakh of rupees for this extent of 5 acres and 30 guntas of land in case if it is acquired The Municipal President was of

opinion

of opinion that the compensation asked for by the Mission authorities was most exhorbitant and the matter might be left to the decision of the Land Acquisition Officer and competent court He also stated that the Council was still keen on acquiring this land for Town Extension Therefore, there seems to be no possibility of effecting a compromise between the two parties

I have made confidential enquiries into the matter It is reliably learnt that in 1944 one Rev Brockbank, was the Superintendent of the Methodist Mission Society at Tumkur at that time and he attempted without authority to sell away the land under reference to some capitalists like Sri B N Padmanabhaiah, Sri Revanna and others of Tumkur Town for a huge sum of Rs-80,000/- or so The Tumkur Town Municipal Council had all along been getting a major portion of its income by acquiring lands and disposing them off as building sites Accustomed as it was to such an income, the Municipality could not naturally tolerate the Mission authorities selling away the land and making huge profits, a major portion of which should, according to them, go to the Municipality Therefore, the Munidpality proposed to acquire this land I do not think that otherwise, the Municipality would have taken up this question, because, this bit of land is quite isolated from any existing inhabited portion of the town, Nor is there any scope for extending the town adjoining this isolated portion If at all, ~~if~~ any extension question arises with regard to this land, it must be taken up as a comprehensive scheme for the entire extent of 35 acres and 5 guntas of land of S No 85 which belongs to the Mission authorities There is little probability of such a comprehensive scheme of extension being taken up in the near future When I indicated in a way this previous history of the case both to the Municipal

President

President and the Mission authorities, they were not in a position to deny it The implication of the objections filed by the Mission authorities in their letter dated 13-1-1948 is that they want the land for themselves and are not intending to dispose of the same to any private persons When I put a direct question to Rev V. Perston, B D , Diocesan Treasurer ~~who is~~ and also the Attorney for the Church of South India (Mysore Diocese) he assured me that Rev Brockbank in attempting to sell the lands to private persons acted on his own authority and the Church of South India has absolutely no intention to dispose of the land He also promised that in case they were to dispose of the lands to others, they would give first choice to the Municipality to acquire this land The Municipal President was of opinion that the Municipal Council would not agree to drop the matter even in the face of this assurance and assertions by the Mission authorities

As stated above, this is an isolated piece of land and cannot therefore be taken up as part of any comprehensive scheme of Town Extension As it is, it forms a natural and geometrical part of the premises of the Mission buildings and compound Taking all these facts and circumstances into consideration, I am of opinion that it is neither desirable nor necessary at present to acquire this land for town extension

The connected records accompany

Yours faithfully,

Deputy Commissioner,
Tumkur District

Ad 6/6

No. L 379 | Ank 18 48-59 15
To | 11/7/49

The Dy Tuntun Dist

-

Subj Requisition of a portion of land in S No. 85 of Tuntun Kasaba for Tuntun Town extension

-

Sir,

With reference to the correspondence ending with your letter no Az C 2813/43-44 dated 6-6-49 on the above subject, I am directed to state ~~that~~ your ~~opinion~~ that the land in question need not be acquired now as no compromise is forthcoming. It accepted ~~and~~ that this question may be deferred for the present.

The records are returned herewith

Yours faithfully

For Collector of Tuntun